

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )

v. )

HANA F. AL JADER )

Criminal No. 05-10085-RCL

**DEFENDANT'S MOTION TO TERMINATE  
HOME CONFINEMENT EARLY**

Defendant Hana Al Jader hereby moves for an order terminating the home confinement portion of her probation several weeks early so she can return to her home in Saudi Arabia – the only place where she can reunite her family, provide care for her invalid husband and undergo surgery and rehabilitation for her own recently diagnosed health problems. As grounds for this motion, Ms. Al Jader states as follows.

On December 21, 2006, the court sentenced Ms. Al Jader to a two-year term of probation with a condition of home confinement for the first six months. The court also required Ms. Al Jader to serve 100 hours of community service in a manner that put to use her skills in the Arabic and English language. Ms. Al Jader has completed the community service component and has less than seven weeks of home confinement left to serve.<sup>1</sup>

She has taken the unusual step of requesting relief so near to the conclusion of her home confinement period because she must undergo surgery that will incapacitate her for a period of several weeks. In the ordinary case, that would not pose too much of a

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<sup>1</sup> Ms. Al Jader has been confined to her home at all times since her arrest more than two years ago on March 20, 2005

problem. Under Ms. Al Jader's particular circumstances and the role she plays in her family, her continued home confinement would carry devastating consequences.

As the court may recall, Ms. Al Jader's entire family, except for her teenage daughter and husband, are in Saudi Arabia. Ms. Al Jader's husband is severely handicapped and cannot take care of himself. Ms. Al Jader is her husband's primary care giver. If she is required to remain in the United States for the duration of her home confinement term, Ms. Al Jader will have to forego surgery because there would be no one to care for her husband during the period of her own incapacity. *See* Letter from Hana Al Jader, attached as Exhibit 1.

If the court were to terminate Ms. Al Jader's home confinement early, she could return to Saudi Arabia immediately and undergo surgery there.<sup>2</sup> In her home country, she would be better able to arrange for the care of her husband, which she could actively supervise during her period of recovery. In addition, she would be able to reunite her entire family under the same roof and would be able to provide desperately needed support and discipline to her five teenage sons. Her sons have not had any stability since their return to Saudi Arabia because Ms. Al Jader's extended family has been unable to care for them. Her sons have been acting out and two of them presently are in juvenile detention. They will not be released until Ms. Al Jader can return to Saudi Arabia and assume responsibility for them. *Id.*

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<sup>2</sup> Undersigned counsel has confirmed with the government and with the Probation Office that Ms. Al Jader could leave the country once her term of home confinement ends. She would not be required to remain in the United States for the duration of her two-year term of probation.

Undersigned counsel has conferred with both the Probation Office and the government before filing this motion. The Probation Office informed counsel of its policy not to support any requests for early termination. Counsel is unaware of any specific objection to the early termination of home confinement in Ms. Al Jader's case. The government also informed counsel that it would oppose early termination. It gave no specific reason for its opposition.

If the court does not terminate Ms. Al Jader's home confinement early, she will be put to the difficult decision whether to put her own health first to the detriment of her husband's care and health, or to put her husband's care and health first to her own detriment. The court knows enough about Ms. Al Jader to predict with confidence the decision she would make. The court would eliminate the need for that decision if it were to terminate her home confinement early so that she could return to Saudi Arabia before undergoing surgery.

HANA AL JADER  
By her attorney,

/s/ *E. Peter Parker*  
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#### **Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on May 7, 2007.

/s/ *E. Peter Parker*  
E. Peter Parker

Dear Honorable Judge Lindsay,

I am writing this letter to request that you terminate my house arrest and permit me to return immediately to my country so that I will be able to reunite my family, provide needed support and discipline for my children and care for my disabled husband.

In September I accepted the plea agreement offered to me by the government, with the hope of gaining back my children, by giving up everything I owned including my house my business and my reputation. I was the hoping that I would be able to rejoin my family in Saudi Arabia. On that day, my wishes did not come true. I was sentenced to six more months house arrest and 100 hours of community service. I fully understood and respected your decision. I have completed 100 hours of community service using my Arabic and English language skills and I am still carrying out the sentence of the house arrest. I would highly appreciate it if you could just take a moment of your time to examine my situation.

As you know, I have sent five of my six children to Saudi Arabia. I was in the mind state that they would be in good hands and taken care of when they arrived there by my sisters, however as you know, shortly after they arrived, one of my sisters became extremely sick and had to immediately fly to Germany for treatment. The second one had to fly to England with her 4 year-old child because he was having major issues with his diabetes and seizures. My third sister is eight months pregnant and is taking care of six children by herself and there is nothing that she can do to help five teenage boys. Now with these situations at hand, no one was left to care for my children. Two of them are presently being held in juvenile detention and will not be released until their father or mother can take responsibility for them as their guardian. The rest of them are roaming the streets of Saudi Arabia with no type of supervision or discipline.

My husband and I go through a tremendous amount of pain and depression knowing that every day our children are on the brink of ruining their lives and there is no one to help them. And it really tears my heart into two every time they call me on the phone crying to me, asking when they will see their mother and father again, and asking when we will be able to have a family dinner together, and when they will have their life back again. And I suffer every time my 87 year-old father that I have not seen in five years calls me on the phone, crying, wondering if he will ever see me again before he dies.

All of these issues are familiar to you. My lawyers and I brought them to your attention at the time of my sentencing. What you do not know, and what makes my presence in Saudi Arabia even more urgently needed, is my own physical condition. The last time I saw a doctor in the beginning of December I was told that I would have to go through at least one surgery and I told him that I would not be able to do it, because I would have to be in bed for at least three weeks to recover. My condition has been getting worse, but I cannot have surgery in the United States because that would leave my husband and my teenage daughter with no one to care for them, all alone. If my family was reunited under one roof in Saudi Arabia, I could have surgery and still play a role from my bed in the care of my husband and the supervision of my children. I cannot do that if I must remain in the United States.

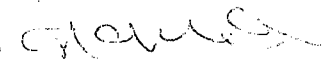
If you could see it from my perspective for just a moment, I don't know if you have any children, but I'm sure from a human point of view, I know you can see that my family is going through a tremendous amount of suffering. All I want is to get my

children off the street, put them back into school, teach them good manners like I always did and that will be the best thing that I can do for this country and society in my part of the world. By the time you get this letter I will have about five weeks left to finish my sentence. I know that it does not sound like a long time, but to me and my children and their father, it is a lot of time.

Thank you for taking the time to read this letter. I tried to make it as short as possible for your convenience even though there are a lot of things that we are going through.

Sincerely,

Hana Aljader

A handwritten signature in dark ink, appearing to read 'Hana Aljader', written in a cursive style.